

<h1 style="margin: 0;">SOLID WASTE FACILITY PERMIT</h1>		Facility Number: <h2 style="margin: 0;">43-AA-0003</h2>																																				
1. Name and Street Address of Facility: San Martin Transfer & Recycling Station 14070 Llagas Avenue San Martin, CA 95046 (408) 683-4420	2. Name and Mailing Address of Operator: Recology South Valley 1351 Pacheco Pass Hwy. Gilroy, CA 95020 (408) 842-3358	3. Name and Mailing Address of Owner: Sunset Properties 50 California St., 24 th floor San Francisco, CA 94111-9796 (415) 875-1000																																				
4. Specifications: <div style="margin-top: 10px;"> a. Permitted Operations: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Solid Waste Disposal Site <input checked="" type="checkbox"/> Transfer/Processing Facility <input type="checkbox"/> Composting Facility (Green Material) </div> <div> <input type="checkbox"/> Transformation Facility <input type="checkbox"/> Other </div> </div> </div> <div style="margin-top: 10px;"> b. Permitted Hours of Operation: <p><u>Open to the Public 8:00 a.m. to 4:30 p.m. Monday through Saturday and from 8:00 a.m. to 12:00 p.m. on Sunday (Receipt of Refuse/Waste from the Public) -</u> <u>Open to Company Vehicles and Operations 6:00 a.m. to 6:00 p.m., seven (7) days per week (Ancillary Operations/Facility Operating Hours) -</u> The facility will be closed on Easter, 4th of July, Thanksgiving, Christmas, and New Years Day.</p> </div> <div style="margin-top: 10px;"> c. Permitted Maximum Tonnage: <u>500</u> Total Tons per Day - (see LEA condition 17d) </div> <div style="margin-top: 10px;"> d. Permitted Traffic Volume: <u>495</u> Total vehicles entering site. Subset peak = 110 trucks per day and on weekend days (see LEA condition – 17e.) </div> <div style="margin-top: 10px;"> e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations): <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th></th> <th>Total</th> <th>Disposal</th> <th>Transfer/Processing</th> <th>Composting</th> <th>Transformation</th> </tr> </thead> <tbody> <tr> <td>Permitted Area (in acres)</td> <td>8.3</td> <td>NA</td> <td>8.3</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>Design Capacity (tons/day)</td> <td></td> <td>NA</td> <td>1,728 tons per day</td> <td>NA</td> <td>NA</td> </tr> <tr> <td>Max. Elevation (Ft. MSL)</td> <td></td> <td>NA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Max. Depth (Ft. MSL)</td> <td></td> <td>NA</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Closure Date</td> <td></td> <td></td> <td>See condition 17j</td> <td></td> <td></td> </tr> </tbody> </table> </div>				Total	Disposal	Transfer/Processing	Composting	Transformation	Permitted Area (in acres)	8.3	NA	8.3	NA	NA	Design Capacity (tons/day)		NA	1,728 tons per day	NA	NA	Max. Elevation (Ft. MSL)		NA				Max. Depth (Ft. MSL)		NA				Closure Date			See condition 17j		
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Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.																																						
5. Approval: <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> Approving Officer Signature Ben Gale, Director of the Department of Environmental Health	6. Enforcement Agency Name and Address: Santa Clara County Department of Environmental Health 1555 Berger Drive, Suite 300 San Jose, CA 95112-2716																																					
7. Date Received by CIWMB: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">FEB 25 2010</div>	8. CIWMB Concurrence Date:																																					
9. Permit Issued Date:	10. Permit Review Due Date:	11. Owner/Operator Transfer Date:																																				

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12. Legal Description of Facility:

The legal description of this facility is contained on page 1 of the Transfer/Processing Report dated October 2004.
APN: 825-08-051 & -002; 14070 Llagas Avenue, San Martin, CA 95046

13. Findings:

- a. This Solid Waste Facility Permit (SWFP) is consistent with the Santa Clara County Integrated Waste Management Plan, which was approved by the CIWMB in November 1995. The location of the facility is identified in the Non-Disposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA.
- d. The County of Santa Clara Fire Department has determined (through the Conditional Use Permit process) that the facility is in conformance with applicable fire standards, pursuant to PRC 44151.
- e. An EIR was filed with the State Clearinghouse (SCH #2002052087) and certified by the County of Santa Clara Planning Commission on 2/3/05. The EIR describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on 2/9/05. The Santa Clara County Planning Commission approved the use of prior CEQA for the extension of the closure date for three more years of operation on 12/3/2009.
- f. An Addendum to the EIR was filed by the LEA with the County Planning Agency on 2/18/10 addressing the extension of time that the Conditional Use Permit allows. The addendum clarifies the finding by the Santa Clara County Planning Commission that the use of prior CEQA for the Use Permit also supports the time extension for 3 more years of operation for the issuance of a Modified Solid Waste Facility Permit.

14. Prohibitions:

- (a) The permittee is prohibited from accepting the following wastes:
 - Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, special, septic tank pumpings, sewage sludge, hazardous waste sludge, large dead animals (i.e. horses), or other wastes requiring special treatment or handling, except as identified in the Transfer/Processing Report and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.
- (b) In addition, the permittee is prohibited from allowing public and/or employee scavenging
- (c) Exceptions:
 - Hazardous or designated waste found as a result of the Hazardous Waste Exclusion/Load-Check Program may be stored on site in compliance with all applicable federal and state storage and disposal regulations
 - Waste oil, used oil filters, antifreeze, batteries, CRT's, universal wastes, household generated sharps, and white goods containing CFC's, may be accepted from the public drop-off and curbside collection programs.

15. The following documents describe and/or restrict the operation of this facility:

Document	Date	Document	Date
<u>Transfer/Processing Report</u>	<u>October 2004</u>	<u>EIR (SCH #2002052087) & CEQA Addendum to EIR (filed 2/18/10 w/Planning)</u>	<u>2/3/05</u>
IIPP - Injury, Illness Prevention Plan	Feb. 2004	Land Use and/or Conditional Use Permit F#8333-71-02P & 8333-71-32-09P	<u>2/3/05 & 12/3/09</u>
APCD Permit to Operate - <u>Plant #6369</u> , Application #6618	<u>1991</u> (annual renewal)	NPDES Permit #3 43S000135	Oct. 23, 1992
"Approved Home Generated Sharps Consolidation Point" Authorization Form	Oct. 18, 2004	RWQCB permit or waiver -WDR 72-34	Oct. 1972

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16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period (*for example, 1st quarter = January – March, the report is due by April 30, etc.. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated.*)

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, and all subset limits described in the governing documents, that enter the facility per day.	Monthly
b. The number and types of vehicles that enter the facility per day, including all subset limits described in the governing documents	Monthly
c. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Monthly
d. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Per Occurrence
e. Quantity of waste hauled per month by a certified medical waste hauler.	Monthly
f. Daily log book of special occurrences per T14 17414(d).	Daily

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17. Local Enforcement Agency (LEA) Conditions:

- a. The operator must comply with all applicable State Minimum Standards for solid waste handling as specified in Title 14, California Code of Regulations; and furthermore, the operator will operate in conformance with the descriptions and procedures of the final TPR.
- b. The operator must maintain and keep up to date a log of special/unusual occurrences. This log must include, but is not limited to, flooding, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry must be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log must be kept on-site and made available to site personnel and the LEA upon request.
- c. Additional information concerning the design and operation of the facility must be furnished upon request and within the time frame specified by the LEA.
- d. The maximum permitted daily tonnage for all material types at this facility is 500 tons per day (TPD). The facility must not receive more than these amounts without a revision of this permit.
- e. The maximum permitted traffic is 495 vehicles per day (VPD) entering the site. A subset peak of 110 South Valley Disposal and Recycling, Inc. and/or San Martin Transfer Station (Company) trucks per day on weekdays and some trucks on weekends. The peak of 110 Company trucks per day has subset peaks of 85 inbound route collection vehicles and 25 outbound transfer trucks/trailers. The facility must not receive more than these amounts without a revision of this permit.
- f. This permit is subject to review by the LEA and may be suspended, revoked, or revised at any time for sufficient cause.
- g. The LEA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.
- h. Any change in the design or operation of the facility that would cause the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change (as determined by the LEA), requiring a permit revision. The operator may not implement any significant change without first submitting a written notice of the proposed change, in the form of a Permit Revision, to the LEA at least 180 days in advance of the change.
- i. Effective litter control measures must be undertaken along all access roads and Llagas Avenue.
- j. Six (6) months prior to 2/3/2013 the operator must submit a plan for the closure and removal of all waste, waste handling operations and equipment and shall concurrently apply for a revision of this permit, if for any reason closure cannot occur.
- k. Effective and safe traffic control measures must be devised and implemented to prevent vehicles from queuing onto Llagas Avenue and blocking lanes. If vehicle queuing becomes a problem (as determined by the LEA), additional traffic control measures will be required. Such measures may include but not be limited to: relocation of the Scale House; multiple entry lanes or entry redesign. Failure to effectively remedy traffic problems on Llagas Avenue will result in permit suspension.
- l. Source-separated food waste and/or source-separated food waste commingled with yard waste will not be accepted unless the TPR is revised to include appropriate mitigation measures.
- m. The operator shall notify the LEA of all odor complaints so that the LEA can refer the matter to the local Air District for enforcement and/or follow-up. Odor complaints must also be logged into the Odor Complaint log book maintained at the facility.